

Indiana Department of Education



Center for Assessment, Research, and Information Technology
Division of School Accreditation, Assistance, and Awards
Room 229, State House – Indianapolis, IN 46204-2798
Telephone 317-232-9060

MEMORANDUM

TO: Public School Superintendents with Schools on Academic Probation under P.L. 221

FROM: Gary Wallyn, Director of School Accreditation, Assistance and Awards

SUBJECT: First Year Consequences for Schools in Academic Probation (High Priority) Category

DATE: August 23, 2006

You recently received information that one or more of the schools in your district has been placed in the Academic Probation category under Indiana's accountability system (Public Law 221-1999). Indiana Code 20-31-9-2 specifies the key actions that must be taken by a school corporation during the first year its schools are on probation:

- Issue a public notice and hold a public hearing regarding the school's lack of improvement
- Revise the school's improvement plan to address the lack of improvement

Although no deadline is established by law, the Department recommends that the school corporation take the necessary steps to bring itself into compliance by October 1, 2006.

Public Notice/Hearing

It is the decision of the local governing body as to how notice of the school's lack of improvement is issued. At whatever venue the hearing is conducted, the meeting time and place must be announced in a way that can be accessed by the general public (per the Open Door Law under IC 5-14-1.5 *et seq.*). The local governing body must hold a separate public hearing for each school on academic probation. The hearings in each corporation may be scheduled consecutively, but not simultaneously, as the public testimony must specifically address each school's lack of improvement.

Demonstrating Compliance

School corporations may demonstrate compliance by submitting the following to our office by October 1, 2006. Please note that compliance with these requirements is a legal standard for school accreditation.

- A copy of the public notice of a school's lack of improvement that includes the date on which the public hearing occurred or will occur.
- A copy of the revisions to the school improvement plan. The School Improvement Plan Review and Revision ([DOE-RR](#)) can serve as the revision unless it does not address the school improvement issues that placed the school in the lowest category.
- If the local school board approves a request from the improvement committee for the Indiana State Board of Education to appoint an outside team to manage the school or assist in the development of a new plan, this request must be submitted on school corporation letterhead, accompanied by the minutes of the board meeting at which the request was approved.

If you need assistance or have questions about this process, please contact our office by phone at 1-800-894-4044 or 317-232-9060 or via e-mail at gwallyn@doe.state.in.us.

Indiana Code that Applies to First Year Consequences under P.L. 221

20-31-9-1 - Inapplicability to non-public school

Sec. 1 This chapter does not apply to the following:

- (1) A non-public school
- (2) A charter school

IC 20-31-9-2 - School placed in lowest category or designation the first year

Sec. 2. (a) This section applies the first year that a school is placed in the lowest category or designation of school improvement.

(b) The state board shall place the school and the school corporation on notice that the school is in the lowest category or designation of school improvement. Upon receiving the notice, the governing body shall:

- (1) issue a public notice of the school's lack of improvement; and
- (2) hold a public hearing in which public testimony is received concerning the lack of improvement.

(c) The committee shall revise the school's plan. A revision under this subsection may include any of the following:

- (1) Shifting resources.
- (2) Changing personnel.
- (3) Requesting the state board to appoint an outside team to manage the school or assist in the development of a new plan.

(d) If the governing body approves a request for the state board to appoint an outside team under subsection (c)(3), the school is considered to be placed under section 3 of this chapter.

A request to appoint an outside team accelerates the consequences under the law.

IC 20-31-9-3 - School remaining in lowest category or designation the third year after initial placement

Sec. 3. (a) This section applies if, in the third year after initial placement in the lowest category or designation, a school still remains in the lowest category or designation.

(b) The state board shall establish and assign an expert team to the school. The expert team:

- (1) must include representatives from the community or region that the school serves; and
- (2) may include:
 - (A) school superintendents, members of governing bodies, and teachers from school corporations that are in high categories or designations; and
 - (B) special consultants or advisers.

(c) The expert team shall:

- (1) assist the school in revising the school's plan; and
- (2) recommend changes in the school that will promote improvement, including the reallocation of resources or requests for technical assistance.